

IC 25-34.1-9**Chapter 9. Continuing Education****IC 25-34.1-9-1**

Sec. 1. As used in this chapter, "council" refers to the real estate education advisory council established by this chapter.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-2

Sec. 2. The real estate education advisory council is established.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-3

Sec. 3. (a) The council consists of the following members appointed by the commission:

(1) Three (3) members who represent residential real estate sales practitioners.

(2) Three (3) members who represent other segments and specialties of the real estate industry besides residential real estate sales practitioners.

(3) One (1) member who represents real estate education.

(b) The commission shall appoint members from different geographic areas of Indiana. Six (6) members of the council must be members of Indiana real estate trade organizations.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-4

Sec. 4. Each member of the council shall be appointed by the commission for a two (2) year term. If a successor has not been appointed, the current member serves until a successor is appointed and qualified.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-5

Sec. 5. If a vacancy occurs on the council, the commission shall appoint an individual to serve the unexpired term of the previous member and until a successor is appointed and qualified.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-6

Sec. 6. The commission may remove a member of the council for cause.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-7

Sec. 7. The council shall elect from the council's membership a chairman and a vice chairman.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-8

IC 25-34.1-9-8 Sec. 8. The council shall meet upon the call of the chairman or at the request of the commission. The chairman shall establish the time and place of all meetings.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-9

Sec. 9. The council shall make recommendations to the commission concerning the following:

- (1) Requirements for sponsors of courses under this chapter.
- (2) Requirements for instructors to be used by sponsors in providing courses under this chapter.
- (3) Requirements for the curricula in providing courses under this chapter.
- (4) Rules to implement this chapter.
- (5) Other issues identified by the commission to implement this chapter.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-10

Sec. 10. Except for an individual who has been granted an inactive license under IC 25-34.1-3-10, an individual who is licensed as a real estate broker under IC 25-34.1-3-4.1 or a salesperson under IC 25-34.1-3-3.1 must complete the approved education requirement before the end of each renewal period.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-11

Sec. 11. (a) The approved education requirement is as follows:

- (1) At least six (6) hours in any of the following subjects as determined by the commission:
 - (A) License and escrow law.
 - (B) Anti-trust law.
 - (C) Civil rights law.
 - (D) Agency law.
 - (E) Listing contracts and purchase agreements.
 - (F) Ethics and professionals standards.
 - (G) Settlement procedures.
 - (H) Other courses approved by the commission.
- (2) At least ten (10) hours of course work in any of the following subjects as determined by the commission:
 - (A) Appraising.
 - (B) Property management.
 - (C) Farm property management.
 - (D) Commercial brokerage and leasing.
 - (E) Financing.
 - (F) Residential brokerage.
 - (G) Land development.
 - (H) Legislative issues affecting the real estate practice.
 - (I) Other courses approved by the commission.

(b) An attorney in good standing licensed to practice law in Indiana may satisfy the requirements of subsection (a) by completing the

number of hours required by subsection (a) in continuing legal education courses in the subject matters listed in subsection (a).
As added by P.L.120-1992, SEC.3. Amended by P.L.182-1996, SEC.4.

IC 25-34.1-9-12

Sec. 12. To obtain approval as a continuing education course sponsor, the sponsor must do the following:

- (1) Provide the commission information on courses, curriculum, and facilities as determined by the commission.
- (2) Limit the number of credit hours that may be offered in a twenty-four (24) hour period for the course to a number not more than the amount established by the commission by rule.
- (3) Provide each participant who successfully completes an approved course a certificate that contains the following:
 - (A) The name of the participant.
 - (B) The name, address, and signature of the sponsor.
 - (C) The number of approved credit hours.
 - (D) The date of the program.
 - (E) Any other information required by the commission.
- (4) Pay a fee determined by the commission.
- (5) Meet any standard that the commission adopts by rule.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-13

Sec. 13. A continuing education sponsor that has received approval under section 12 of this chapter must maintain records for five (5) years of the participants who successfully complete and pass the course. If the sponsor ceases operations, the owner shall place the records in the care of a custodian that is approved by the commission.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-14

Sec. 14. (a) The approval for a sponsor for:

- (1) a salesperson's course expires December 31 each odd-numbered year; and
- (2) a broker's course expires December 31 each even-numbered year.

(b) A sponsor must submit:

- (1) a letter requesting renewal of approval; and
- (2) the renewal fee;

at least thirty (30) days before a sponsor's approval expires.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-15

Sec. 15. The commission may inspect an approved sponsor's records and facilities.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-16

Sec. 16. (a) A person may advertise that the sponsor or the sponsor's course is approved by the commission and fulfills the requirements of

the commission.

(b) A person may not advertise that the sponsor or the sponsor's course is required or recommended by the commission.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-17

Sec. 17. A licensee who is initially licensed in the second year of a renewal period is exempt from the continuing education requirements under this chapter for that renewal period.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-18

Sec. 18. An applicant for renewal must certify on the application that the applicant:

- (1) has complied with the continuing education requirements;
- (2) is exempt from the continuing education requirement because the individual has been licensed for less than one (1) year; or
- (3) has not complied with the continuing education requirements but is seeking a waiver under section 19 of this chapter.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-19

Sec. 19. The commission may grant an applicant a waiver from the continuing education requirement for the renewal period if the applicant meets one (1) of the following conditions:

- (1) Was not able to fulfill the requirement due to a hardship that resulted from any of the following:
 - (A) Service in the armed forces of the United States during a substantial part of the renewal period.
 - (B) An incapacitating illness.
 - (C) Other circumstances determined by the commission.
- (2) Has certified on approved forms to the commission the following:
 - (A) That the applicant has an active license but will not perform an act that requires a salesperson or broker's license.
 - (B) That the applicant is affiliated with a principal broker for the sole purpose of making referrals to a licensed salesperson or broker.

An individual granted a waiver under this subdivision may not perform an act that requires a salesperson or broker's license until the individual has fulfilled the same continuing education requirements needed to reactivate an inactive license under IC 25-34.1-3-10(c) and 25-34.1-3-10(d).

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-20

Sec. 20. (a) The commission may deny renewal of the license of a licensee that does not fulfill the requirements of this chapter.

(b) Suspension proceedings shall be conducted in accordance with IC 4-21.5 and the commission has all powers granted under IC 4-21.5.

As added by P.L.120-1992, SEC.3.

IC 25-34.1-9-21

Sec. 21. The commission may adopt rules under IC 4-22-2 necessary to implement this chapter.

As added by P.L.120-1992, SEC.3.